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Report of the Special Committee on Peacekeeping Operations and its Working Group

2005 substantive session (New York, 31 January-25 February 2005)

2005 resumed session (New York, 4-8 April 2005)

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Note

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Part one
2005 substantive session

Chapter I
Introduction

1. In its report dated 26 April 2004,[1] which the General Assembly welcomed in its resolution 58/315 of 1 July 2004, the Special Committee on Peacekeeping Operations decided to continue its consideration of the recommendations contained in the report of the Panel on United Nations Peace Operations (A/55/305-S/2000/809) and of the report of the Secretary-General on the implementation of those recommendations (A/55/502) at its regular session.

2. Also in resolution 58/315, the General Assembly decided that the Special Committee, in accordance with its mandate, should continue its efforts for a comprehensive review of the whole question of peacekeeping operations in all their aspects and should review the implementation of its previous proposals so as to enhance the capacity of the United Nations to fulfil its responsibilities in that field.

3. At its 180th meeting, on 31 January 2005, the Special Committee elected the following representatives as its officers for a one-year term of office: Aminu Bashir Wali, Permanent Representative of Nigeria to the United Nations, Chairperson; Alberto Pedro D'Alotto (Argentina), Glyn Berry (Canada), Koji Haneda (Japan) and Beata Peksa-Krawiec (Poland), Vice-Chairpersons; and Alaa Issa (Egypt), Rapporteur.

4. The Special Committee also discussed the organization of its work and decided to establish an open-ended working group, to be chaired by Canada, to consider the substance of the mandate entrusted to the Special Committee by the General Assembly.

[1] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 19* (A/58/19).

Chapter II
General debate and working group

5. At its 180th to 183rd meetings, held on 31 January and 1 February 2005, the Special Committee held a general debate on the matters presented in the report of the Secretary-General on the implementation of the recommendations of the Special Committee (A/59/608 and Corr.1).

6. In his statement to the Special Committee at its 180th meeting, the Under-Secretary-General for Peacekeeping Operations underlined that United Nations peacekeeping was facing a historic surge in demand, and the key issues facing peacekeeping at that juncture were clearly laid out in the report of the Secretary-General. He pointed out that he was especially looking forward to hearing the initial reactions of delegations to the proposals to establish a standing civilian police capacity and a military strategic reserve force, two investments that in his view could help make United Nations peacekeeping operations more efficient, effective and therefore cost-effective as well.

7. The Under-Secretary-General stressed that, in many respects, 2004 had been a very good year for United Nations peacekeeping operations, with the successful implementation of a substantial number of reforms proposed in the report of the Panel on United Nations Peace Operations (A/55/305-S/2000/89), and with the mandates of a number of United Nations missions bearing fruit, including in Afghanistan, Burundi, Liberia, Sierra Leone and Timor-Leste. The Under-Secretary-General emphasized that despite the successes and the depth of reform that had taken place, several missions needed to be bolstered and supported in order to achieve their mandated objectives in volatile and precarious environments. He highlighted strategic dilemmas regarding the direction United Nations peacekeeping should take over the next 5 to 10 years to consolidate past successes and reforms. Finally, the Under-Secretary-General stressed that allegations that personnel of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) had sexually exploited and abused Congolese was cause for serious concern and pointed out that the United Nations needed to respond to such acts of gross misconduct with the utmost seriousness and deal with them as a high priority during 2005, lest public confidence in the institution be undermined.

8. During the ensuing general debate, many delegations welcomed the report of the Secretary-General (A/59/608 and Corr.1) as well as the statement of the Under-Secretary-General and they focused many of their remarks on the challenges faced collectively in meeting the surging demand for United Nations peacekeeping.

9. Many delegations emphasized that peacekeeping operations should strictly observe the purposes and principles enshrined in the Charter of the United Nations and those that had evolved to govern peacekeeping and had become basic peacekeeping principles, namely the consent of the parties, the non-use of force, except in self-defence, and impartiality. In that regard, many delegations called for the Special Committee to consider seriously the diverse terminology employed by the United Nations Secretariat and Member States to refer to peacekeeping operations in order to reach a common understanding on the matter.

10. Many delegations acknowledged that challenges linked to the surge in demand for United Nations peacekeeping during 2004 were likely to continue to grow in scale and complexity in the near future. Most delegations stressed that the effective

generation of resources and rapid deployment were essential elements for the success of peacekeeping operations and encouraged the Department of Peacekeeping Operations to enhance further the implementation of such mechanisms as the strategic deployment stocks and the United Nations standby arrangements system.

11. Many delegations pointed out the necessity of enhancing the rapid deployment capabilities of the United Nations. They welcomed or noted with interest the proposal for the creation of a strategic reserve available at short notice to assist United Nations missions in times of crisis. However, delegations underscored the need for additional consultations to clarify operational, logistical and financial arrangements related to the proposal, as well as how it might complement other existing initiatives, such as those being developed in Europe and Africa. Concern was voiced over the reference contained in paragraph 32 of the report of the Secretary-General regarding the offer by some States to contribute "discrete units staffed by government-provided civilians" as suggestive of irregularity and a return to the mode of gratis personnel that was implied therein.

12. Many delegations also welcomed or noted with interest the proposal to set up a standing civilian police capacity, requested detailed clarification as to what that concept entailed and encouraged the Department of Peacekeeping Operations to develop fully the proposed concept in conjunction with Member States.

13. Most of the delegations expressed strong concerns about recent reports of sexual misconduct of peacekeepers. Many delegations welcomed the zero tolerance policy taken in that regard by the Secretary-General and supported initial actions taken, including the appointment of an adviser on the issue. The Secretary-General was requested to submit as soon as possible a comprehensive report with concrete recommendations.

14. Many delegations highlighted the importance of cooperation with regional arrangements and welcomed in particular the cooperation between the United Nations and African regional and subregional organizations in the area of peacekeeping, and looked forward to discussing the recommendations included in the report of the Secretary-General on the enhancement of African peacekeeping capacity (A/59/591).

15. While almost all delegations reiterated their strong commitment to strengthening the safety and security of United Nations personnel deployed in the field, many also voiced their support for the inclusion of associated personnel, and expressed concerns regarding the increasing threats to the United Nations peacekeeping personnel operating in dangerous environments. Some delegations welcomed the creation of a new strengthened and unified security management system. In that context, a number of delegations urged the Department of Peacekeeping Operations to establish an appropriate coordination mechanism with the Department of Safety and Security.

16. Many delegations recognized the need for better information gathering and analysis and looked forward to the effective implementation of the joint mission analysis cells to minimize risks to peacekeeping personnel. The Department of Peacekeeping Operations was asked to better define the concept, structure and role of the cells and their linkages to United Nations Headquarters. Finally, many delegations commended the Department of Peacekeeping Operations for its timely

information sharing with troop-contributing countries concerning the conduct and outcome of investigations or inquiries into incidents and accidents resulting in loss of life or injury of peacekeeping personnel.

17. Many delegations emphasized the need for common approaches and comprehensive strategies to support the transition from conflict to peace. In that regard, it was reiterated that the disarmament, demobilization and reintegration component was crucial to peacekeeping operations and note was taken of the efforts of the Department of Peacekeeping Operations to develop a comprehensive approach to disarmament, demobilization and reintegration programmes. Many delegations recognized the importance of the rule of law and gender in integrated approaches in post-conflict situations and called for a commitment by the donor community in support of disarmament, demobilization and reintegration programmes.

18. It was stressed that gender issues should be addressed systematically in all aspects and phases of a peace process. Many delegations welcomed the emphasis placed by the Department of Peacekeeping Operations in implementing Security Council resolution 1325 (2000) of 31 October 2000 on women, peace and security, including the launch of the gender peacekeeping package.

19. Many delegations stressed their appreciation for the increased cooperation and consultation through briefings to, and meetings with, troop-contributing countries coordinated by the Department of Peacekeeping Operations in 2004.

20. The contribution of individual Member States to peacekeeping operations currently being conducted by regional organizations mandated by the Security Council was recognized and a request was made for a consolidated list of such contributions.

21. Many delegations stressed that training was critical for complex United Nations peacekeeping operations. Several welcomed recent progress in the development of the standardized training modules, levels II and III, and encouraged the Department of Peacekeeping Operations to provide a wide range of training opportunities, including for new and emerging troop-contributing countries. A number of delegations also highlighted the importance of regional peacekeeping training centres.

Chapter III
Proposals, recommendations and conclusions

A. Introduction

22. The Special Committee on Peacekeeping Operations, in making its recommendations, reaffirms the purposes and principles enshrined in the Charter.

23. The Special Committee reaffirms that the primary responsibility for the maintenance of international peace and security rests with the United Nations, in accordance with the Charter, and affirms that peacekeeping continues to be one of the key instruments available to the United Nations in discharging that responsibility. The Special Committee, as the only United Nations forum mandated to review comprehensively the whole question of peacekeeping operations in all their aspects, including measures aimed at enhancing the capacity of the Organization to conduct peacekeeping operations, is uniquely able to make a significant contribution in the area of issues and policy relating to peacekeeping operations. It encourages other United Nations bodies, funds and programmes to avail themselves of the Special Committee's particular perspective on peacekeeping operations.

24. Noting the ongoing surge in United Nations peacekeeping efforts in various parts of the world, which requires the participation of Member States in various activities, the Special Committee considers it essential for the United Nations to be effectively able to maintain international peace and security. This calls for, inter alia, an improved capacity to assess conflict situations, effective planning and management of peacekeeping operations and quick and effective responses to any Security Council mandate.

25. The Special Committee notes that in recent years the number of complex peacekeeping operations has increased and, as a consequence, the Security Council has mandated peacekeeping operations that have included, in addition to the traditional tasks of monitoring and reporting, a number of other activities. In that regard, the Special Committee stresses the importance of an effective Department of Peacekeeping Operations that is efficiently structured and adequately staffed.

26. The Special Committee stresses the importance of consistently applying the principles and standards it has set forth for the establishment and conduct of peacekeeping operations, and also emphasizes the need to continue to consider those principles, as well as definitions of peacekeeping, in a systematic fashion. New proposals or conditions concerning peacekeeping operations should be discussed in the Special Committee.

27. The Special Committee pays tribute to the men and women who have served and continue to serve in peacekeeping operations for their high level of professionalism, dedication and courage. Particular tribute is due to those who have given their lives for the maintenance of peace and security.

28. The Special Committee takes note of the relevant recommendations of the High-Level Panel on Threats, Challenges and Change (A/59/565 and Corr.1) for United Nations peacekeeping. Some of these recommendations may provide a valuable basis for the discussion of the future development of United Nations peacekeeping.

B. Guiding principles, definitions and implementation of mandates

29. The Special Committee stresses that peacekeeping operations should strictly observe the purposes and principles enshrined in the Charter. It emphasizes that respect for the principles of the sovereignty, territorial integrity and political independence of States and non-intervention in matters that are essentially within the domestic jurisdiction of any State is crucial to common efforts, including peacekeeping operations, to promote international peace and security.

30. The Special Committee believes that respect for the basic principles of peacekeeping, such as the consent of the parties, impartiality and the non-use of force except in self-defence and in the defence of a mandate authorized by the Security Council, is essential to its success.

31. The Special Committee recognizes that peacekeeping operations have become more complex and as such a common understanding of terminology is required in order to promote common approaches and cooperation. The Special Committee requests the Secretariat to propose a list of definitions with a view to standardizing terminology covering the full spectrum of issues in the transition from pre-conflict to post-conflict for the Special Committee's consideration at its 2006 session.

32. The Special Committee is of the view that peacekeeping operations should not be used as a substitute for addressing the root causes of conflict. Those causes should be addressed in a coherent, well-planned, coordinated and comprehensive manner, using political, social and developmental instruments. Consideration should be given to ways in which those efforts can continue without interruption after the departure of a peacekeeping operation, so as to ensure a smooth transition to lasting peace and security and development.

33. The Special Committee stresses that the Security Council has the primary responsibility for the maintenance of international peace and security, pursuant to Article 24 of the Charter. The Special Committee notes the statements by the President of the Security Council of 29 December 1998 (S/PRST/1998/38) and 20 February 2001 (S/PRST/2001/5) with regard to the inclusion, as appropriate, of peacebuilding elements in the mandates of peacekeeping operations, with a view to ensuring a smooth transition to a successful post-conflict phase. The Special Committee stresses the importance of those elements being explicitly defined and clearly identified before being incorporated into the mandates of peacekeeping operations, whenever appropriate. The Special Committee emphasizes the role of the General Assembly in the formulation of post-conflict peacebuilding activities.

34. The Special Committee continues to stress the importance of peacekeeping operations being provided with clearly defined mandates, adequate resources based on a realistic assessment of the situation, objectives and command structures, as well as secure financing, in support of efforts to achieve peaceful solutions to conflicts. It also stresses the need to ensure, in the formulation and implementation of mandates, adequate resources, congruity between mandates, resources and realizable objectives. The Special Committee emphasizes that, when changes are made to an existing mandate, commensurate changes should be made to the resources available to a peacekeeping operation to carry out its new mandate. Changes in the mandate of an ongoing mission should be based on a thorough and timely reassessment by the Security Council in consultation with troop-contributing countries through the mechanisms prescribed in Security Council resolution 1353

(2001) of 13 June 2001 and the note of the President of the Security Council dated 14 January 2002 (S/2002/56).

35. The Special Committee stresses the need to ensure the unity of command of United Nations peacekeeping operations. It recalls that the overall political direction and control of United Nations peacekeeping operations are within the purview of the Security Council.

C. Strengthening operational capacity

1. General

36. The Special Committee notes the unprecedented increase in peacekeeping operations, and commends the Department of Peacekeeping Operations for its achievement in managing the deployment of some 75,000 military, civilian police and both international and local civilians, and for the rotation of some 120,000 uniformed personnel in 2004.

37. The Special Committee recognizes, however, that the current level of resources places inevitable limits on the scope and number of missions that the Department of Peacekeeping Operations can effectively undertake and manage. The Special Committee accordingly recognizes the need to consolidate the successes and reforms of the past year. The Special Committee therefore recommends that the Department evaluate how and to what extent the complexity of peacekeeping mandates affects the operational efficiency of peacekeeping missions with a view to reporting its findings to the Special Committee during its 2006 session.

38. Member States should continue to ensure that United Nations peacekeeping is provided with political support, adequate human, financial and logistical resources and a clear, realistic and achievable mandate.

39. The Special Committee notes with concern the assessment by the Secretary-General that United Nations peacekeeping continues to face significant gaps, in particular in the areas of enabling and niche capabilities and strategic lift.

40. The Special Committee notes that addressing the surge will also require on the part of the United Nations Secretariat a more efficient use of its existing resources along with better internal coordination and planning processes, which are critical for the effective management and support of peacekeeping missions.

2. Rapid deployment

41. While the Special Committee recognizes that the United Nations ability to rapidly deploy and support forces continues to improve, certain initiatives to strengthen regional arrangements will provide readily available and deployable forces to reduce deployment timelines. The Special Committee continues to believe that a definitive review of the effectiveness of the United Nations standby arrangements system is necessary.

42. The Special Committee shares the view of the Secretary-General that mechanisms such as the pre-mandate commitment authority and strategic deployment stocks have strengthened the United Nations capacity to provide logistical support to personnel deployments. The Special Committee takes note of the significant added value for mission start-up of the United Nations Logistics Base

at Brindisi, Italy, and its strategic deployment stocks. Based on the current review of strategic deployment stocks, the General Assembly shall decide on the need to further expedite its replenishment. The Special Committee encourages the Secretariat to continue to work with Member States in order to make all the respective mechanisms for rapid deployment, including strategic deployment stocks, more effective, in keeping with the changing demands of peacekeeping operations.

43. The Special Committee, while supporting the call for rapid deployment, urges the Secretariat to optimize all existing aspects of pre-mandate operational preparedness and deployment. It calls for a more efficient management of the financial and logistical aspects of peacekeeping operations, both at Headquarters and the field, in order to make deployment both rapid and effective.

44. In order to overcome the contingent-owned equipment and sustainability shortfall faced by some troop-contributing countries, the Special Committee recommends that the Department of Peacekeeping Operations continue to facilitate various enabling arrangements, including through other Member States and bilateral arrangements.

3. Strategic reserve

45. The Special Committee welcomes initiatives that are being taken to improve the operational effectiveness of United Nations peacekeeping operations. These include the creation of appropriate tactical and force-level reserves in mission areas. The Special Committee also takes note with interest of the Secretary-General's strategic reserve initiative to provide existing peacekeeping missions with a robust, capable and available reserve to be called upon if required, as proposed in the Secretary-General's implementation report (A/59/608 and Corr.1). These initiatives should be considered with due regard to available resources and priorities. Furthermore, questions such as composition of task forces, the decision-making processes for the deployment, command and control arrangements, complementarity with other crisis response initiatives, sustainability and financial implications among other issues have to be answered before the Special Committee can reach firm conclusions on the proposals. The Special Committee therefore recommends that the Department of Peacekeeping Operations work closely with Member States to answer those questions and define the proposal in more details.

4. Other issues

46. The Special Committee endorses the need for an appropriately strong military and civilian police presence, backed by adequate support resources throughout the peacekeeping operation, in order to deter spoilers and establish the credibility of the United Nations.

47. The Special Committee encourages the leadership of regionally linked United Nations peacekeeping operations to explore synergies, sharing of information, lessons learned and non-military matters, where practical, without impairing operational effectiveness, and recommends a timely briefing on the issue in order to facilitate the discussion among the members of the Special Committee.

D. Conduct and discipline

48. The Special Committee reaffirms the need to ensure that all military, civilian police and civilian personnel in United Nations peacekeeping missions managed by the Department of Peacekeeping Operations function in a manner that preserves the image, credibility, impartiality and integrity of the United Nations. The Special Committee emphasizes that misconduct and even perceptions of impropriety are unacceptable and have a detrimental effect on the relations of national contingents with the local population and could cause difficulties in fulfilling mandates.

49. The Special Committee is outraged by the large number of allegations of sexual misconduct by military and civilian personnel in the United Nations peacekeeping mission managed by the Department of Peacekeeping Operations in the Democratic Republic of the Congo. Such acts of gross misconduct are a stain on the good name of military, civilian police and civilian personnel in United Nations peacekeeping missions managed by the Department. Recognizing the seriousness of the allegations and its implications for the future of United Nations peacekeeping, the Special Committee believes that the issue needs to be viewed within a broader and systemic context and recommends a comprehensive and balanced approach to address the problem.

50. In the light of those concerns, the Special Committee emphasizes the need for reinforced efforts and measures on the part of the United Nations and Member States to ensure that military, civilian police and civilian personnel in United Nations peacekeeping missions managed by the Department of Peacekeeping Operations are fully aware of their duties and obligations. The Special Committee also emphasizes that troop-contributing countries, involved Member States and the United Nations have a clear responsibility not to allow those responsible for acts of gross misconduct to go unpunished.

51. The Special Committee supports the efforts of the Secretary-General thus far to address the conduct and discipline issue and commends decisions already made to remove and repatriate civilian peacekeeping personnel found to be involved in incidents of sexual exploitation and abuse or human trafficking at United Nations missions.

52. Particularly with regard to the conduct of military, civilian police and civilian personnel in United Nations peacekeeping missions managed by the Department of Peacekeeping Operations, the Special Committee reiterates its insistence on the need for compliance with obligations under international human rights law and international humanitarian law, and underlines again that all acts of exploitation, including sexual exploitation, and all forms of abuse by military, civilian police and civilian personnel in United Nations peacekeeping missions managed by the Department are intolerable.

53. The Special Committee emphasizes that it is critically important that justice for victims of any sexual exploitation and abuse by military, civilian police and civilian personnel in United Nations peacekeeping missions managed by the Department of Peacekeeping Operations is both assured and is seen to be done. It also underlines that due process must be observed.

54. The Special Committee recalls its request in previous reports urging the Secretariat to involve the contributing countries concerned from the outset in an

investigation into any case of alleged misconduct. The Special Committee stresses that the Secretariat must make the outcome of the investigation, including all relevant evidence, available to that country in a comprehensive and transparent manner, in order to enable its national authorities to take legal steps. The Special Committee moreover emphasizes that investigations must be conducted in an impartial manner, taking into consideration the operational effectiveness of peacekeeping missions.

55. The Special Committee underlines the need to strengthen the implementation of the existing United Nations policy, including the zero tolerance policy, and standards of conduct providing clear and effective guidelines for all Member States contributing military, civilian police and civilian personnel in United Nations peacekeeping missions managed by the Department of Peacekeeping Operations with the goal of timely and objective enforcement of the code of conduct and prosecution of any violations of the code of conduct with respect to sexual exploitation and abuse. The Special Committee calls upon all Member States to fulfil their obligations in that regard in a comprehensive and transparent manner.

56. The Special Committee requests the Secretary-General to make available to the United Nations membership a comprehensive report with recommendations on the issue of sexual exploitation and abuse by military, civilian police and civilian personnel in United Nations peacekeeping missions managed by the Department of Peacekeeping Operations — with due regard being given to the sensitivity of the subject matter. The report should be submitted no later than the first week of April 2005. The Bureau of the Special Committee will meet immediately thereafter to establish the earliest practical date for reconvening the Special Committee, which will review the findings, consider the report and submit its findings to the Fifth Committee for due consideration before the Fifth Committee concludes its business at the end of May 2005, to enable the General Assembly to take all appropriate actions before the end of its fifty-ninth session.

E. Safety and security

57. The Special Committee pays tribute to the courage and dedication of personnel working in peacekeeping operations and to those who have lost their lives in the service of peace. The Special Committee is gravely concerned about the precarious security environment prevailing in many field missions and, in that context, calls upon the Secretariat to give the utmost priority to enhancing the safety and security of United Nations and associated personnel in the field. It condemns in the strongest terms the killing of military and civilian police officers in several missions, and recognizes that those continuous attacks and other acts of violence constitute a major challenge to United Nations field operations.

58. The Special Committee urges those States that have not yet done so to consider becoming parties to the Convention on the Safety of United Nations and Associated Personnel. The Special Committee recalls General Assembly resolution 58/82 of 9 December 2003, in particular its recommendation that key provisions of the Convention, including those regarding the prevention of attacks against members of the operation, the establishment of such attacks as crimes punishable by law and the prosecution or extradition of offenders, are included in status-of-forces, status-of-

mission and host country agreements negotiated between the United Nations and those countries.

59. The Special Committee recalls General Assembly resolution 59/211 of 20 December 2004 on the safety and security of humanitarian personnel and protection of United Nations personnel, and welcomes the adoption by the Security Council of resolution 1502 (2003) of 26 August 2003 on the security of the United Nations personnel.

60. The report of the Secretary-General (A/59/365 and Corr.1 and A/59/365/Add.1 and Corr.1) sets out a strengthened and unified security management system for the United Nations. In that regard the Special Committee believes that the safety and security of all United Nations and associated personnel within a peacekeeping mission are inextricably linked to the capability to execute operationally effective peacekeeping operations.

61. The Special Committee welcomes General Assembly resolution 59/276 of 23 December 2004, in section XI, paragraph 40 of which the Assembly requests the Secretary-General to provide information on strengthening the cooperation between the Department of Safety and Security and the Department of Peacekeeping Operations with respect to security decisions that may affect the conduct of peacekeeping operations, in the framework of the unified security management system, which would be led by the Department of Safety and Security under the provisions of the resolution.

62. The Special Committee believes that appropriate coordination will be required between the Department of Safety and Security and the Department of Peacekeeping Operations in order to provide integrated, unified security assessments, operational advice and support to crisis management down to peacekeeping missions. In that regard, the Special Committee further believes that the Department of Peacekeeping Operations needs to be closely involved with the Department of Safety and Security so as to ensure greater coordination between the departments.

63. Fully cognizant of the volatile security situation in mission areas, the Special Committee calls upon the Secretariat to accord the highest priority to safety and security of all United Nations and associated personnel in the field. In this regard, it also calls upon the Secretariat to improve further the capacity for collection, analysis and dissemination of information.

64. The Special Committee calls upon the Secretariat to provide a concept definition or policy paper on the joint mission analysis cells, setting out, inter alia, the details of their structure, functions and role with the aim of providing information on the various components in the context of both new and existing peacekeeping operations. In this regard, the Special Committee asks the Secretariat to act on this issue as a matter of urgency.

65. The Special Committee expresses its concern about the safety and security of military observers and other unarmed United Nations personnel deployed in the field in a United Nations peacekeeping operation. In that regard, the Special Committee requests the Secretariat to provide greater clarity on measures that have been taken to enhance their security. It stresses, in that context, the need to undertake correct risk assessments prior to deploying military observers and other unarmed United Nations personnel in difficult areas and calls upon the Secretariat to

ensure that, wherever deployed, they must be provided with adequate security so as to enable them to carry out their mandated tasks without risk or loss of life.

66. The Special Committee welcomes the improvement in the flow of information to troop-contributing countries and encourages the Secretariat to continue doing so by utilizing all available means, including the Situation Centre and electronic means. This information is relevant in all phases of a peacekeeping operation.

67. The Special Committee agrees that as the United Nations enhances its capacity to gather field information and assess risks, all forms of technical monitoring and surveillance means, in particular aerial monitoring capabilities as part of United Nations missions, should be explored as a means to ensure the safety of peacekeepers, particularly in volatile and dangerous conditions and in situations too dangerous for visual monitoring from the ground. The Special Committee requests the Secretary-General to provide in his next report to the Committee a comprehensive assessment in that regard and on the basis of lessons learned.

68. In relation to the measures to deal with aerial accidents that have recently resulted in the loss of life for a large number of personnel in peacekeeping missions, the Special Committee stresses the need for the Department of Peacekeeping Operations to incorporate in those measures lessons learned from recent incidents and to maintain the highest possible standards or air safety, especially when subcontracting air transport.

F. Integrated planning

69. The Special Committee recognizes the importance of an effective and transparent integrated mission planning process, involving Member States, when appropriate, and relevant parts of the United Nations system. The Special Committee welcomes progress in the development of an integrated mission planning process handbook and training course. The Special Committee notes that for its successful implementation this tool needs to be developed in full consultation with other United Nations agencies and the Bretton Woods institutions, and encourages the Department of Peacekeeping Operations to ensure that this is done.

70. In addition, the Special Committee recommends that, within the integrated mission planning process, the Department of Peacekeeping Operations provide the concept of operations and the operational plan for the information of potential troop-contributing countries and regional organizations as early as possible in the mission planning process. This will facilitate national planning as well as further enhance the Department's own planning, enhance transparency prior to submitting recommendations to the Security Council and add impetus to force generation. The Special Committee recognizes that the training course on the integrated mission planning process will be crucial to improving the planning process and should eventually be made available to major external stakeholders as well as all United Nations agencies.

71. The Special Committee believes that there is scope for better integrated planning and coordination both at Headquarters and in the field among the Department of Peacekeeping Operations and other United Nations agencies involved in humanitarian activities to maximize their security and effectiveness.

G. Strengthening United Nations mission headquarters

72. The Special Committee recognizes the importance of coherent mission leadership and the assembling of the appropriate expertise in the peacekeeping missions, especially the mission headquarters. It recommends the early selection of force commanders, police commissioners and key headquarters staff as well as the need for joint training before headquarters staff are deployed. In addition, the key mission staff should be provided with the necessary induction and orientation training and the appropriate integrated planning tools. In that regard, the integrated mission planning process handbook and the training modules for headquarters staff must be formalized.

73. The Special Committee stresses the need for a military-coherent, well-trained and cohesive headquarters to achieve the degree of command and control necessary for the effective implementation of complex mandates. In pursuit of that aim, the Special Committee urges continued and wider use of existing rapidly deployable headquarters in the initial phase of a peacekeeping operation, allowing composite headquarters time to form, train, plan and deploy as a fully effective staff. The earliest possible selection of force commander, police commissioner and headquarters staff is recommended, to allow for their training and engagement in the pre-mission planning process. The Special Committee urges increased coordination between the Department of Peacekeeping Operations and the mission headquarters, so that there is a good exchange of information, lessons learned from other missions and best practices.

H. Cooperation with troop-contributing countries

74. The Special Committee believes that there is a need to enhance the relationship between those who plan, mandate and manage peacekeeping operations and those who implement the mandates for the operations. Troop-contributing countries, through their experience and expertise, can make an important contribution to the planning process and can assist the Security Council in making appropriate, effective and timely decisions on peacekeeping operations.

75. The Special Committee underlines the need for full implementation of the provisions contained in Security Council resolution 1353 (2001) and the note by the President of the Security Council of 14 January 2002 (S/2002/56) in order to utilize optimally those mechanisms to forge a stronger relationship with troop-contributing countries. Consultations with troop-contributing countries should be held at all stages of a peacekeeping operation.

76. The Special Committee believes that such consultations should be held sufficiently in advance of the renewal or mandating of an operation by the Security Council, so that the views of troop-contributing countries can contribute meaningfully to the decision-making process. It also believes that such meetings should be convened, including at the request of troop-contributing countries, according to the modalities set out in Security Council resolution 1353 (2001). It calls upon the Secretariat to ensure that copies of the report of the Secretary-General on specific peacekeeping operations are circulated to the troop-contributing countries in good time to allow the timely holding of meetings with those countries before discussions among Security Council members are held. The Special

Committee encourages all troop-contributing countries to participate actively in meetings with the Security Council and the Secretariat, in order to achieve meaningful outcomes.

77. The Special Committee emphasizes the importance of improving the interaction between the Security Council Working Group on peacekeeping operations and troop-contributing countries, so that the experience and expertise of those countries may be drawn upon when implementing and extending peacekeeping mandates. The Special Committee urges the Working Group to interact more frequently and intensively in the deliberations, taking into account all views and recommendations.

78. The Special Committee encourages the Department of Peacekeeping Operations to consult closely with troop-contributing countries when developing or updating guidelines and policy documents. The input of troop-contributing countries, for example, into documents on civil-military coordination policy, on disciplinary issues and on command and control is essential for their commitment to implementation.

79. In strengthening best practices for current and future operations, the Special Committee believes that it is important for the Peacekeeping Best Practices Unit to consult with troop-contributing countries that have participated in United Nations peacekeeping missions. Periodic meetings could be convened by the Secretariat with the participation of former force commanders, former police commissioners and national contingent commanders in an effort to develop validation mechanisms for lessons learned and best practices.

80. The Special Committee urges the Secretariat to consult with the troop-contributing countries in a timely manner when planning any change in the tasks, mission-specific rules of engagement, operational concepts or command and control structure that have an impact on personnel, equipment, training and logistics requirements, in order to enable the troop-contributing countries to give their advice in the planning process and to ensure that their troops have the capacity to meet the new demands. The Special Committee urges the Secretariat to consult with the troop-contributing countries concerned when planning a drawdown of troops in any peacekeeping operation. The implementation of the drawdown should take place only after consideration of inputs from the troop-contributing countries and bearing in mind the situation on the ground.

I. Civilian police

1. Legal status

81. The Special Committee reiterates that when civilian police, including civilian police deployed in formed police units and corrections personnel, are assigned executive tasks in which they directly implement law and order functions, they may be required to use enforcement measures in accordance with their mandates and rules of engagement. The Special Committee continues to believe that the tasks of such personnel require adaptation of the current rules governing their legal status, by assigning them immunities equivalent to those of armed military personnel, bearing in mind the need for accountability.

82. The Special Committee calls upon the Secretariat to submit a report on the legal status of civilian police personnel who are assigned executive tasks, including operational recommendations to address the concerns of the Special Committee in an appropriate manner, taking into account contributions by Member States and the practice of relevant regional organizations.

2. Standing police capacity

83. The Special Committee takes note with interest of the recommendation of the Secretary-General for a standing civilian police capacity that could undertake mission assessments and organize the start up of the police components of United Nations peacekeeping operations. The Special Committee calls upon the Secretariat to develop the concept in conjunction with Member States and to address in more detail how it would fit into an overall rule of law strategy, recruitment and training of staff and its financial implications.

3. Cooperation between military and police contingents

84. Taking into account the broader deployment of civilian police contingents as individual officers or as part of formed police units and the advantages to operate in close coordination with the military forces, the Special Committee urges the Department of Peacekeeping Operations to consider military and police joint operations whenever a tactical situation requires them. The Special Committee therefore calls upon the Department to develop better coordination and cooperation in that regard.

J. Strategies for complex peacekeeping operations

85. The Special Committee recognizes the need for the Department of Peacekeeping Operations to plan for peacekeeping missions in such a manner as to facilitate to the extent possible an effective approach to peacebuilding and long-term prevention of recurrence of armed conflict by the international community.

86. In that context, the Special Committee encourages the Secretariat to develop coherent strategies and early integrated mission planning based on lessons learned in the areas of disarmament, demobilization and reintegration, the strengthening of the rule of law, including through processes and mechanisms to address past abuses in order to ensure accountability and that justice is served and to achieve reconciliation, security sector reform, quick-impact projects and mine action, with a view to restoring immediate security and stability in post-conflict societies.

87. The Special Committee recognizes that peacekeeping operations may in some cases not only be military or political. Peacekeeping operations have taken on a multidimensional nature. The Special Committee stresses that in such cases they should also engage all other relevant United Nations agencies so that, from the beginning, the social, economic and judicial aspects are properly addressed.

88. Underlining the need for clear and well-defined mandates and exit strategies for complex peacekeeping operations, the Special Committee recalls in that regard the relevant recommendations contained in General Assembly resolution 57/337 of 3 July 2003 on the prevention of armed conflict and Security Council resolution 1366 (2001) of 30 August 2001, and calls for the inclusion, as appropriate, of

peacebuilding elements in complex mandates to generate enabling conditions to prevent the recurrence of armed conflict. The Special Committee looks forward to the detailed review of the capacity of the United Nations system in that regard to be included in the report of the Secretary-General at its fifty-ninth session on the implementation of General Assembly resolution 57/337.

89. The Special Committee stresses the need for strengthened cooperation and coordination among specialized agencies, funds and programmes within the United Nations system under their respective mandates, as well as with the Bretton Woods institutions, international donors, humanitarian organizations, non-governmental organizations and civil society to ensure common needs assessments, operational clarity and policy coherence on the ground during implementation of comprehensive strategies in the post-conflict peacebuilding phases, so as to ensure a smooth transition to long-term development activities. In that regard, the Special Committee emphasizes that the ownership of the recipient countries is fundamental and that it is the primary responsibility of the national Government to determine national priorities around which such strategies can be formulated.

90. The Special Committee notes the importance of involving the missions' leadership at the earliest stage possible in developing comprehensive strategies for post-conflict peacebuilding.

91. The Special Committee welcomes the intentions of the Department of Peacekeeping Operations to develop guidance and appropriate training for civil/military cooperation in peacebuilding activities. In that context the Special Committee calls upon the Secretary-General to submit a report on best practices for the peacekeeping/humanitarian/development interface for Member States' consideration.

92. As part of the planning process, the Special Committee stresses the need for effective planning for the transition from peacekeeping operation to peacebuilding to long-term development activity. The Special Committee underlines the need to properly address the issue of financing activities with Member States, including donor countries and relevant actors in the spectrum between peacekeeping and development and to strengthen the financing of post-conflict assistance, including the development part therein, to avoid the recurring need for extremely costly peacekeeping operations.

93. The Special Committee stresses the importance of a public information and outreach policy for the success of the United Nations peacekeeping operations. The local population, in particular, needs to be informed in a transparent and a constant manner about the mandate, activities and development of the peacekeeping operations. In that regard, the Special Committee reaffirms the need for a continued and enhanced cooperation between the Department of Peacekeeping Operations and the Department of Public Information.

94. The Special Committee encourages cooperation with the business community, given its crucial role in supporting peacebuilding and longer-term development, inter alia by providing employment opportunities to demobilized fighters and thereby contributing to reconstruction and post-conflict resolution. The Special Committee also encourages cooperation between the business community and civil society and local non-governmental organizations that can contribute in a substantial way to peacebuilding efforts.

1. Disarmament, demobilization and reintegration and security sector reform

95. The Special Committee stresses that disarmament, demobilization and reintegration is a crucial component of peace processes and peacekeeping operations and that its success depends on the political will of all parties. The Special Committee believes that early planning and coordination, along with early and sustained funding of disarmament, demobilization and reintegration components of peacekeeping operations, are also key elements for the success of disarmament, demobilization and reintegration programmes. In that regard, the Special Committee calls for long-term commitment by the donor community in support of disarmament, demobilization and reintegration programmes and requests the Secretary-General to identify the additional resources needed to support the capacity of the donor community in disarmament, demobilization and reintegration.

96. The Special Committee welcomes progress by the Department of Peacekeeping Operations and other United Nations agencies in developing United Nations integrated standards on disarmament, demobilization and reintegration as well as on a comprehensive weapons management strategy, and also takes note of the Stockholm Initiative on Disarmament, Demobilization and Reintegration. The Special Committee encourages the Department and other United Nations agencies to continue those processes to completion, and invites the Secretariat to brief Member States on recent lessons learned and experiences in that regard.

97. Moreover, since the security sector reform is an essential element of any stabilization process, the Special Committee stresses that measures in the field of security sector reform should not be confined solely to addressing issues of the armed forces and the security and stability of the State, but must also address the wider security issues relating to policing and rule of law, among others.

98. The Special Committee stresses the importance of ensuring that all women and children associated with armed forces and groups are systematically included in every disarmament, demobilization and reintegration process, taking into account their specific needs and rights, especially those of girls, with a particular emphasis on reintegration and education, in order to prevent them from being re-recruited.

2. Quick-impact projects

99. Recognizing the importance of quick-impact projects that are designed to address the immediate needs of the local population and serve to build and sustain confidence and support for peacekeeping operations, the Special Committee suggests that such projects be not only an integral part of mission planning and development but also part of the implementation of comprehensive strategies to meet the challenges facing complex peacekeeping operations.

100. The Special Committee recommends that the selection procedure for quick-impact projects be addressed, as much as possible, at the field level, under the control of the Special Representative of the Secretary-General. The Special Committee recommends that resources for quick-impact projects remain in direct support of the mission's mandate and either respond to needs not covered by existing development and humanitarian assistance efforts, or serve as a catalyst to broaden those efforts. The Special Committee also stresses that resources reserved for quick-impact projects should be used strictly for the purposes for which they are intended, in a timely fashion.

3. Rule of law

101. The Special Committee recognizes that creating and sustaining stability in a post-conflict environment requires that the causes of the conflict be addressed and local rule of law capacities be established and strengthened. In that regard, the Special Committee recalls the importance of respect for the rule of law in the administration of justice, as a vital contribution to building peace and justice and ending impunity.

102. The Special Committee takes note with interest of the report of the Secretary-General on the rule of law and transitional justice in conflict and post-conflict societies (S/2004/616) and the conclusions and recommendations therein.

103. The Special Committee recognizes that the establishment and strengthening of local rule of law capacities is an essential element in creating and sustaining stability in a post-conflict environment. A United Nations peacekeeping mission may be mandated to provide advice and assistance to build or reform rule of law capacities. In that regard, the Special Committee encourages the Secretariat to continue to work towards the strategic and operational planning of peacekeeping operations to fulfil such mandates.

4. Children and peacekeeping

104. The Special Committee recognizes the specific needs of children in armed conflict situations, bearing in mind the particular vulnerability of the girl child as specified in Security Council resolution 1539 (2004) of 22 April 2004. The specific needs of children should be taken into account in armed conflict situations, peace negotiations and peace agreements.

105. The Special Committee encourages the Department of Peacekeeping Operations to give special attention to the protection, welfare and rights of children in armed conflict when taking into account action aimed at maintaining peace and security, including the provisions for the protection of children in the mandates of peacekeeping operations, as well as the inclusion of child protection advisers in those operations. In that regard, the Special Committee takes note of the report of the Secretary-General on the comprehensive assessment of the United Nations system response to children affected by armed conflict (A/59/331).

5. Gender and peacekeeping

106. The Special Committee welcomes the publication by the Department of Peacekeeping Operations of the Gender Resource Package and the appointment in 2004 of a gender adviser in the Department, and looks forward to the development by the Secretary-General of a comprehensive strategy and action plan for mainstreaming gender perspectives into peacekeeping activities at Headquarters and in peacekeeping operations. The Special Committee looks forward to reviewing this strategy at its next session. The Special Committee looks forward to status reports by the Department to Member States on the progress of those initiatives.

107. The Special Committee commends the introduction of mandatory pre-deployment gender training for military, civilian and civilian police personnel and the issuance of guidance on human trafficking as well as the subsequent development of a package of training materials.

108. The Special Committee considers that gender issues should be systematically addressed in all aspects and phases of peace processes, and that urgent measures must be taken to prevent and respond to gender-based violence in situations of armed conflict. There must be a concerted effort to realize the commitments made in Security Council resolution 1325 (2000) in line with the recent report of the Secretary-General on women and peace and security (S/2004/814), through urgent implementation of its recommendations, including a United Nations-wide plan of action.

109. The Special Committee encourages Member States and the Secretariat to increase the participation of women in all aspects and all levels of peacekeeping operations, where possible, pursuant to General Assembly resolution 59/164 of 20 December 2004 and Security Council resolution 1325 (2000).

110. The Special Committee stresses the need for ongoing reporting by the Secretary-General on how gender mainstreaming is being implemented in the field and at Headquarters.

K. Cooperation with regional arrangements

111. Bearing in mind the primacy of the United Nations in the maintenance of international peace and security, the Special Committee reaffirms the important contribution that regional arrangements and agencies can make to peacekeeping, in accordance with Chapter VIII of the Charter, where appropriate, and when the mandate and capacity of regional arrangements and agencies allow.

112. The Special Committee recognizes that regional arrangements have unique and complementary capacities to offer in cooperation with United Nations peacekeeping operations and urges the United Nations to strengthen its operational linkages and partnership with regional arrangements. A strong partnership with regional arrangements in United Nations peacekeeping operations would have a positive impact on the optimal use of limited resources.

113. The Special Committee stresses, however, that reliance on regional solutions does not absolve the United Nations of its responsibility under the Charter for the maintenance of international peace and security.

114. The Special Committee calls upon the Department of Peacekeeping Operations to continue to explore the concept of trilateral arrangements among the United Nations, regional arrangements and donor countries with the view to enhance regional peacekeeping capacity. The Special Committee encourages the Department to keep troop-contributing countries informed of that process.

115. The Special Committee welcomes the continued efforts of the European Union to cooperate with the United Nations in crisis management situations, as specified in the 2003 Joint Declaration on United Nations-European Union Cooperation in Crisis Management. In that regard, the Special Committee also welcomes the European Union efforts to develop crisis management capabilities, such as the European Union battle group.

L. Enhancement of African peacekeeping capabilities

116. The Special Committee notes the continued surge in peacekeeping activities in Africa in 2005 and urges Member States to continue to provide direct and adequate contributions to United Nations peacekeeping operations in Africa, in a timely manner.

117. The Special Committee welcomes developments within the African Union to enhance its capacities for crisis management, including through the establishment of the Peace and Security Council, as well as progress made towards the development of an African Standby Force. The Special Committee calls upon the international community to support these efforts, in both the short and the long term, with respect to specific actions to enable the African Union to attain the desired target by 2010.

118. In that regard, the Special Committee welcomes the report of the Secretary General entitled "Enhancement of African peacekeeping capacity" (A/59/591). The Special Committee believes that the United Nations, in collaboration with the key strategic partners, should enhance its support to the African Union in its efforts to develop a capacity to undertake and manage peacekeeping operations in Africa. The Special Committee supports the development of a joint action plan that would address the systemic constraints identified by African Member States, including in the areas of common doctrine and training standards, logistical support, funding and institutional capacity for the planning and management of peacekeeping operations within the African Union and subregional organizations.

119. The Special Committee notes the recommendation of the Secretary-General that longer-term programmes, such as staff exchanges and the secondment of Department of Peacekeeping Operations staff to the headquarters of the African Union and subregional organizations would also go some way towards building a cadre of qualified civilian and military planning staff. Such exchanges have a particular value during the planning and mounting of missions.

120. In this regard, the Special Committee recognizes that if suitably resourced, the United Nations could make available to the African Union a small core planning and advisory capacity to complement the initial planning and start-up processes of an African Union-led peacekeeping mission. This core capacity could consist of representatives from the political, administrative, logistics and military and civilian police units in the Department of Peacekeeping Operations and its field missions. They could be temporarily attached to the African Union headquarters on the basis of memorandum of understanding and for an agreed period, depending on the needs of the Department and field operations.

121. The Special Committee is also pleased with the recommendation of the Secretary-General that until the African Union develops the capacity to support its peacekeeping operations fully, the United Nations may consider options such as logistical support to African Union peacekeeping missions, if mandated by the Security Council and provided with adequate resources by the General Assembly.

122. The Special Committee stresses the importance of enhanced coordination between the United Nations, the African Union and subregional organizations and non-African partners, such as the European Union and the Group of Eight industrial countries, for such a joint action plan to be effective.

M. Training

123. The Special Committee welcomes the efforts by the Secretariat to improve the standards for all those — military, civilian police and other civilians — involved in United Nations peacekeeping operations. The Special Committee continues to urge the Secretariat to make more progress on the establishment of a single multidimensional training unit as expressed in its previous reports.

124. The Special Committee recognizes that training of the military, civilian police and civilians should be a standard feature in building coherent missions. It calls upon the Department of Peacekeeping Operations to develop a Department-wide training policy that would coordinate training as well as integrate the training of different categories of personnel for peacekeeping operations.

125. The Special Committee, acknowledging that multidimensional peacekeeping demands expertise and experience that most Member States cannot muster on a continuous basis, encourages Member States to continue their efforts to create regional approaches for peacekeeping training.

126. The Special Committee attaches high importance to training as United Nations peacekeeping demands increase, and notes in this regard the utility of tapping the experience of major troop contributors with considerable background in peacekeeping operations, particularly those that are more complex, and of encouraging and supporting them in providing a wide range of training opportunities to other countries, including the new and emerging troop-contributing countries.

127. The Special Committee welcomes the efforts by the Secretariat to improve training standards for all those — military, civilian police and other civilians — involved in United Nations peacekeeping operations. The Special Committee encourages Member States contributing troops, civilian police and other civilian personnel to continue to incorporate common United Nations standards into their national training curricula both in terms of the standardized training modules project and other relevant interoperability training. The Special Committee also encourages the Secretariat to research peacekeeping guidelines, standards and best practices already developed by Member States, regional organizations and other interested agencies, with a view to integrating them into United Nations peacekeeping guidelines.

128. The Special Committee maintains that integrated training is essential for the success of multidimensional peacekeeping. The Special Committee recognizes, however, that it is difficult for individual Member States to train their peacekeeping personnel — especially senior leaders, mission headquarters military, police and civilian staff, as well as those assigned as military observers and civilian police advisers/mentors — in all aspects of multidimensional peacekeeping. Therefore, the Special Committee believes it is essential that the Secretariat continue to give the highest priority to completing the standardized training modules levels II and III for use by all Member States. The Special Committee is encouraged by the partnerships that have been established between Member States, peacekeeping missions, the Secretariat and other interested agencies working together to develop standardized training modules level III. These partnerships must continue to ensure the successful development and implementation thereafter of the standardized training modules level II in 2005.

129. The Special Committee welcomes the development of standardized training modules level III and recommends that it be delivered, pre-deployment, to the headquarters of new missions, and as part of an ongoing, regular process to senior staff teams in existing mission headquarters. In addition, the Special Committee notes that staff within the Department of Peacekeeping Operations headquarters and potential mission headquarter staff within Member States would benefit from standardized training modules level III training, and therefore recommends that the Department of Peacekeeping Operations develop, in conjunction with Member States, an appropriate means of delivering this training to a wider audience.

130. The Special Committee notes that pre-deployment training for all key Headquarters personnel has been carried out for new United Nations peacekeeping missions. The Special Committee calls upon Member States to ensure that their key personnel for United Nations Headquarters are made available for such training.

131. The Special Committee acknowledges that the United Nations training assistance teams have been active and productive in providing troop-contributing countries with the necessary knowledge to prepare effectively for specific United Nations missions. The Special Committee encourages the Secretariat to continue its "train the trainer" approach adopted by the teams.

132. The Special Committee continues to support the efforts of the Department of Peacekeeping Operations in providing national and regional peacekeeping training centres, as well as national training focal points located in member countries, with the necessary guidance for training peacekeeping personnel — military, police and civilians.

133. The Special Committee recalls the need for all United Nations training documents to be translated into all official languages of the Organization. The Special Committee moreover underlines that, to improve the communication of United Nations staff, especially military and civilian police, with local populations, the competence of personnel in relevant languages should be taken into account.

N. Best practices

134. The Special Committee takes note of the focus of the Peacekeeping Best Practices Unit on policy development, lessons learned and knowledge management and expects that the Unit will continue to play an integral part, in coordination with other parts of the Department of Peacekeeping Operations and the field missions and in cooperation with Member States and regional organizations, in the development of generic peacekeeping policies, procedures and guidelines and in the integration of lessons learned and best practices in the planning and conduct of ongoing or future missions.

135. In undertaking this activity, the Special Committee considers it important for the Unit to consult with the troop-contributing countries that have participated in the various United Nations peacekeeping missions in order to make use of their valuable experience. Accordingly, regular meetings should be convened by the Secretariat with the participation of the former force commanders, former police commissioners and national contingent commanders, including battalion commanders, as part of the effort to develop a good validation mechanism for lessons learned and best practices.

136. The Special Committee supports efforts to enhance the effectiveness of the Peacekeeping Best Practices Unit and encourages it to continue to play an active role in the development of generic guidelines, procedures and best practices for current and future use in peacekeeping operations.

O. Personnel matters

137. The Special Committee supports enhancing the effectiveness of the military and civilian police divisions within the Department of Peacekeeping Operations to handle the demands of the ongoing surge in peacekeeping operations, and urges the Department to produce a detailed needs assessment of the personnel resources required.

138. The Special Committee recognizes the positive effort made by the Department of Peacekeeping Operations with regard to balanced recruiting of staff and urges the Secretary-General to continue his efforts in accordance with General Assembly resolutions to improve the current imbalance of geographic representation, gender distribution and representation of unrepresented and underrepresented Member States. The Special Committee also urges the Secretary-General to improve representation as outlined by the General Assembly in its resolution 59/266 of 23 December 2004 on human resources management.

139. The Special Committee believes that appropriate representation in the Department of Peacekeeping Operations and field missions should also take into account the contributions by Member States. The Special Committee urges the Secretary-General to ensure a fair representation of troop-contributing countries when selecting personnel for such staff positions. At the same time, troop-contributing countries need to ensure that prospective staff have the required professional background and experience.

140. The Special Committee welcomes the establishment by the Secretariat of a task force to conduct a cost benefit analysis of establishing a separate status and conditions of service for staff officers. The Special Committee requests the Secretariat to engage troop-contributing countries and other interested Member States on this issue as soon as possible.

141. The Special Committee, acknowledging that language skills constitute an important element of the recruitment criteria and that the interaction of United Nations military, civilian police and civilian expert personnel with local populations should be improved, affirms that due attention should be paid to those candidates competent in relevant local languages. The Special Committee also acknowledges that, when necessary, local interpreters may be recruited.

P. Financial issues

142. The Special Committee again stresses that all Member States must pay their assessed contributions in full, on time and without conditions. It reaffirms the obligation of Member States, under Article 17 of the Charter, to bear the expenses of the Organization as apportioned by the General Assembly, bearing in mind the special responsibility of the permanent members of the Security Council, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963.

143. The Special Committee takes note of the unprecedented surge in United Nations peacekeeping operations in both complexity and numbers. The Special Committee acknowledges that peacekeeping resources are not unlimited and that securing the necessary human and financial resources will pose challenges to all Member States. In those circumstances the Special Committee emphasizes that, when a new mission is being planned, full account must be taken of the exit strategy. The Special Committee further stresses the importance of preparing accurate and realistic peacekeeping operation budgets, which will ensure the efficient allocation of resources among various peacekeeping operations as well as facilitate national decision-making processes on financing United Nations peacekeeping operations. The Special Committee urges the Secretariat to continue to fully integrate operational, logistical and financial aspects in the planning phase of peacekeeping operations, in order to reduce costs.

144. After the missions are established, periodic reviews should be undertaken to ensure that the activities of each are implemented effectively and efficiently, including through cost reductions and enhanced synergy through cooperation and coordination between the missions in a same region. In addition, the size of a mission must be adjusted in line with the gradual fulfilment of its mandate.

145. The Special Committee notes the continuing efforts of the Department of Peacekeeping Operations to improve administrative aspects related to memorandums of understanding and encourages it to further improve its achievements in this regard.

146. The Special Committee welcomes paragraph 28 of the Secretary General's implementation report (A/59/608), which indicates that reimbursements for contingent-owned equipment and troop costs are currently running on a four-month cycle. The Special Committee also welcomes the Secretariat's efforts in reviewing and assessing possibilities to facilitate faster reimbursement to support the rapid deployment of troops to the field.

147. The Special Committee notes that there has been continued improvement in addressing delays in the payment of reimbursement and claims, and encourages its progress. The Special Committee also notes that there are still contributors that have not yet been reimbursed for their participation in various ongoing missions such as the United Nations Interim Administration Mission in Kosovo and the United Nations Mission for the Referendum in Western Sahara and closed missions going back to more than a decade, such as the United Nations Operation in Somalia and the United Nations Transitional Authority in Cambodia. The Special Committee urges the Secretariat to look into practical modalities to address these exceptional circumstances and to inform Member States at the earliest.

148. The Special Committee reiterates its request in its 2003 report for the creation of a working group, with the participation of all interested Member States, to consider the difficulties troop-contributing countries face, including financial difficulties, in complying with rapid deployment requirements, and to recommend, on the basis of consultations with Member States, ways to overcome these difficulties, including means to assure rapid reimbursement in the rapid deployment phase (A/57/767, para. 95).

149. The Special Committee recalls its concerns over the inability of the 2004 Working Group on contingent-owned equipment to reach consensus on the triennial

review of the reimbursement rate of major equipment and self-sustainment, as well as its review of the medical support services and the methodology for reimbursement of troop costs. The Special Committee hopes that the General Assembly and the Fifth Committee will address this issue at the fifty-ninth session and with the aim of resolving it.

150. The Special Committee underlines that peacekeeping operations should, in accordance with Security Council resolution 1353 (2001), be undertaken with the involvement of the financial contributing countries, and reiterates the importance of regularized, routine consultations between all major stakeholders and the main peacekeeping decision-making bodies.

Q. Other matters

151. In connection with the ongoing surge in demand in peacekeeping operations, the Special Committee appreciates the attention drawn to this issue at the special public meeting of the Security Council organized by Pakistan during its presidency of the Security Council on 28 May 2004 and encourages other Security Council members to continue to draw attention to those outstanding issues in United Nations peacekeeping operations.

152. The Special Committee emphasizes the importance of General Assembly resolution 57/129 of 11 December 2002, in which 29 May was designated as the International Day of United Nations Peacekeepers as a tribute to all the men and women who have served and continue to serve in the United Nations peacekeeping operations for their high level of professionalism, dedication and courage, and to honour the memory of those who have lost their lives in the cause of peace.

153. The Special Committee welcomes the observance by the international community of the International Day of United Nations Peacekeepers in May 2004 and appreciates the work done by the United Nations Secretariat, especially by the Department of Peacekeeping Operations, with regard to arranging a number of events and activities both at United Nations Headquarters and in the peacekeeping missions on the ground.

154. The Special Committee invites all Member States, organizations of the United Nations system, non-governmental organizations and individuals to observe annually this International Day in an appropriate manner.

Annex I

Composition of the Special Committee at its 2005 session

Members: Afghanistan, Algeria, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Benin, Bolivia, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Malawi, Malaysia, Mali, Mauritania, Mexico, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Zambia, Zimbabwe.

Observers: Democratic People's Republic of Korea, Dominican Republic, Guyana, Haiti, Israel, Madagascar, Paraguay, Yemen, African Union, European Community, Holy See, International Committee of the Red Cross.

Annex II

Briefings received by the Special Committee at its 2005 session

1. In a series of presentations and exchanges of views with delegations, the Secretariat briefed the Special Committee on Peacekeeping Operations on 2 and 3 February on a number of the aspects of peacekeeping under consideration.

2. Briefings began with a presentation by the Military Division on the strategic reserve and the United Nations standby arrangements system.

3. The Civilian Police Adviser briefed the Special Committee on the standing civilian police capacity.

4. The Assistant Secretary-General for Peacekeeping Operations also briefed the Special Committee on Rapid Deployment including personnel issues, the pre-mandate commitment authority and the strategic deployment stocks.

5. The Special Committee heard updates by the Peacekeeping Best Practices Unit, the Office for the Coordination of Humanitarian Affairs and the United Nations Development Group on the ongoing study on integration in peacekeeping operations.

6. The Special Committee was further provided a briefing on joint mission analysis cells by the Military Division.

7. The Department of Peacekeeping Operations, the Department of Safety and Security and the Office of Programme Planning, Budget and Accounts made briefings on safety and security issues.

8. The Special Committee also heard a presentation on the rule of law by the Criminal Law Judicial and Advisory Unit of the Peacekeeping Best Practices Unit.

9. Two workshops were also held with the participation of the Department of Peacekeeping Operations on the United Nations approach to integrated disarmament, demobilization and reintegration in a peacekeeping context as well as on the surge in peacekeeping operations.

Annex III

Seminars and conferences held in 2004 and 2005

Conference or seminar	*Location*	*Date*	*Sponsor or organizer*
Twentieth United Nations Staff Officer Course	Hamburg, Germany	26 January-13 February 2004	Government of Germany
United Nations Military Observer Course	Hammelburg, Germany	1-26 March 2004	Government of Germany
United Nations Military Observer Course	Kristoni Kilkis, Greece	19 April-30 April 2004	Hellenic National Defence General Staff — Multinational Peace Support Operations Training Centre
Training of African Military Personnel in "Conflict Prevention, Human Rights and Peacekeeping"	Turin, Italy	2-21 May 2004	United Nations Staff College, Ministry of Foreign Affairs of Italy
United Nations Peacekeeping Training Seminar on the Standardized Training Modules Level II	Nitra, Slovakia	5-12 May 2004	Government of Slovakia
Seminar on the United Nations-European Union Synergy in Crisis Management	Dublin, Ireland	6 and 7 May 2004	Government of Ireland
Seminar on RECAMP IV Cycle: Reinforcing the African Peacekeeping Capacities	Accra	24-28 May 2004	Government of France, the Economic Community of West African States and the Kofi Annan Centre
Training Seminar on Reform of the Penal System in the Context of Post-Conflict Situations	Madrid	May 2004	Government of Spain and European Commission
Eighth United Nations Senior Management Seminar	New York	6-18 June 2004	Ministry of Foreign Affairs of Norway
Silk Road Flag Officers' Seminar	Ankara	7-11 June 2004	Government of Turkey
Integrated United Nations Training Assistance Teams Military Training Centre Officers Course	Kielce, Poland	7-18 June 2004	Military Training Centre for Peace Support Operations
United Nations Civilian Police Training of Trainers Course	Istanbul, Turkey	9-16 June 2004	Government of Turkey

Conference or seminar	*Location*	*Date*	*Sponsor or organizer*
Seminar on Exit Strategies for Peace and Security in Africa	**Paris**	**9-18 June 2004**	**Government of France, Forum of the Institute for Higher National Defence Studies on Africa**
United Nations Peacekeeping Training Seminar on the Standardized Training Modules Level III	**Singapore**	**14-18 June 2004**	**Government of Singapore**
United Nations Military Observer Course	**Hammelburg, Germany**	**5-30 July 2004**	**Government of Germany**
Seminar on United Nations Peacekeeping Operations	**Mexico City**	**16-20 August 2004**	**United Nations and Government of Mexico**
Training Programme on Peacebuilding and Good Governance for African Civilian Personnel	**Accra**	**August/September 2004**	**Ministry of Foreign Affairs of Italy/United Nations-Department of Economic and Social Affairs/Scuola Superiore Sant'Anna of Pisa/University of Ghana, Legon Centre for International Affairs**
United Nations Military Observer Course	**Kristoni Kilkis, Greece**	**6-17 September 2004**	**Hellenic National Defence General Staff — Multinational Peace Support Operations Training Centre**
United Nations Military Observer Course	**Zagreb-Rakitje, Croatia**	**20 September-7 October 2004**	**Government of Croatia**
United Nations Training Course on Human Rights for Trainers of Military Personnel of Peacekeeping Operations	**Buenos Aires**	**4-8 October 2004**	**Joint Peacekeeping Operations Training Centre, Argentina**
United Nations Military Observer Course	**Hammelburg, Germany**	**4-29 October 2004**	**Government of Germany**
Stockholm Initiative on Disarmament, Demobilization and Reintegration	**Stockholm**	**10-12 October 2004**	**Government of Sweden**
Swiss United Nations Military Observer Course	**Stans/Lucerne, Switzerland**	**11-29 October 2004**	**Swiss Armed Forces International Command**

Conference or seminar	*Location*	*Date*	*Sponsor or organizer*
Seminar for the Special Representatives of the Secretary-General	Mont-Pelerin, Switzerland	12-14 October 2004	United Nations Institute for Training and Research/ Ministry of Foreign Affairs of Switzerland
United Nations Military Observer Course	Istanbul, Turkey	25 October-5 November 2004	Government of Turkey
Conference on the Prevention and Resolution of Conflicts in the Region: the Haitian Lesson	Santiago	16 December 2004	Government of Chile, FALCO
Fifteenth Challenges Seminar	Beijing	3-5 November 2004	Peacekeeping Affairs Office of the Ministry of National Defence of China, and China Institute of International Strategic Studies
Planning Seminar for the Stabilization of Somalia during the Transitional Period	Addis Ababa	4-5 November 2004	African Union/Ministry of Foreign Affairs of Italy
Training of African Military Personnel in Conflict Prevention, Human Rights and Peacekeeping	Brindisi, Italy	8-26 November 2004	United Nations Staff College/Ministry of Foreign Affairs of Italy
Conference From War to Classroom, From Crisis to Recovery, Italian Cooperation for West African Children	Freetown	19-20 November 2004	Ministry of Foreign Affairs of Italy/World Food Programme
Twenty-first United Nations Staff Officer Course	Hamburg, Germany	22 November-10 December 2004	Government of Germany
United Nations Peacekeeping Training Seminar on the Standardized Training Modules Level II	Stans/Lucerne, Switzerland	30 November-3 December 2004	Swiss Armed Forces International Command
Seminar of Security Experts on Somalia	Nairobi	15-16 December 2004	African Union/Ministry of Foreign Affairs of Italy
Seminar on Disarmament, Demobilization and Reintegration	Oslo	24-29 January 2005	Norwegian Defence Centre

Part two
2005 resumed session

Chapter I
Introduction

1. The Special Committee on Peacekeeping Operations met in New York from 4 to 8 April 2005 to consider the report entitled "A comprehensive strategy to eliminate future sexual exploitation and abuse in United Nations peacekeeping operations" (see A/59/710).

2. The Special Committee welcomes the prompt submission by the Secretary-General of the comprehensive report on sexual exploitation and abuse by United Nations peacekeeping personnel (see A/59/710), prepared by the Adviser to the Secretary-General on this question, His Royal Highness Prince Zeid Ra'ad Zeid Al-Hussein, Permanent Representative of Jordan. The Committee expresses its deep appreciation to Prince Zeid and his team for the comprehensive nature of the report.

3. The Special Committee recognizes the shared responsibility of the Secretariat and Member States to take every measure within their purview to prevent sexual exploitation and abuse, among the most egregious forms of grave misconduct, by all categories of personnel in United Nations peacekeeping missions, and to enforce United Nations standards of conduct in this regard, and reiterates the strong commitment of Member States in this regard.

4. The Special Committee reiterates that misconduct and even perceptions of impropriety are unacceptable and have a detrimental effect on the fulfilment of the mission mandates.

5. In recognition of the gravity of the problem of sexual exploitation and abuse in peacekeeping contexts, the Special Committee is committed to implementing fundamental, systemic changes as a matter of urgency, drawing on the recommendations in the report. The Committee recognizes, however, that not all measures can be implemented immediately in view of the complex nature of some of the legal issues raised in the report as well as the need to further develop the concept and financial implications of a number of recommendations. It therefore considers the discussion and implementation of the recommendations in the report as a process that begins with the 2005 resumed session of the Special Committee and ends at the earliest opportunity, preferably by 1 June 2007.

6. The recommendations adopted by the Committee are without prejudice to the right of the troop-contributing countries to exercise exclusive jurisdiction over their own contingents.

Chapter II
Proposals, recommendations and conclusions

7. The Special Committee adopts the following recommendations as a matter of urgency.

A. Uniform standard

8. The Special Committee notes that it welcomed the standards set out in the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13) that are binding on United Nations staff in its 2004 report (A/58/19, para. 115). That report was endorsed by the General Assembly in resolution 58/315. The Committee recommends that the General Assembly endorse the standards of conduct and behaviour in the Secretary-General's bulletin for all categories of United Nations peacekeeping personnel. Violation of those standards will result in appropriate action within the authority of the Secretary-General, but criminal and disciplinary responsibility in respect of members of national contingents depends on the national law of the Member State.

9. The Special Committee recommends that the Secretary-General issue the standards set out in his bulletin of 2003 in a manner convenient to troop-contributing countries, in the languages of contingent members of peacekeeping missions as well as in the official languages of the United Nations, with translations of the standards to be provided by troop-contributing countries and the United Nations arranging publication at mission cost as agreed with the troop-contributing countries.

B. Training

10. The Special Committee recommends that the Department of Peacekeeping Operations make available, on induction and throughout the mission assignment, training on the required standards of conduct and, in particular, on the detailed prohibitions in the Secretary-General's bulletin.

11. The Special Committee welcomes the efforts that have been made in training of military and civilian personnel on arrival and during their service in the mission areas, both on the Organization's standards of conduct relating to sexual exploitation and abuse and on HIV/AIDS awareness, and calls upon the Department of Peacekeeping Operations to review HIV/AIDS training to ensure that the prohibitions in the Secretary-General's bulletin are fully included.

C. Participation of women in peacekeeping missions

12. The Special Committee, in the recommendations in its previous report (A/59/19), encouraged Member States and the Secretariat to increase the participation of women in all aspects and all levels of peacekeeping operations, both civilian and military, where possible, pursuant to General Assembly resolution 59/164 and Security Council resolution 1325 (2000). The Committee considers such a measure to be particularly important in the context of combating sexual

exploitation and abuse, since it would facilitate the mission's task of making meaningful contact with vulnerable groups and non-governmental organizations in the local community, as well as efforts to encourage the reporting of abuse and to promote an environment that discourages such acts. The Committee also urges the full integration of the Office of the Special Adviser on Gender Issues and Advancement of Women into these efforts.

D. Planning

13. The Special Committee encourages troop-contributing countries, where feasible and appropriate, to send established units to peacekeeping missions rather than assembling units from different existing national units.

E. Organizational, management and command responsibility

14. The Special Committee emphasizes that managers and commanders must lead by example and fulfil their duties as managers and commanders by raising awareness and ensuring that all personnel under their supervision are aware that sexual exploitation and abuse, as defined in the Secretary-General's bulletin, will not be tolerated at all by the Organization or by Member States.

15. The Special Committee recommends that the responsibility for creating and maintaining an environment that prevents sexual exploitation and abuse should be part of the performance objectives of managers and commanders involved in peacekeeping missions, and that failure to implement all or parts of those objectives should be reflected in the performance appraisals of the managers and commanders concerned. The Committee emphasizes that those who fail to meet managerial and command objectives in this regard must be held accountable.

16. The Special Committee recommends that missions institute, in the light of the recommendations in the report of the Adviser to the Secretary-General, measures appropriate to the specific conditions in that mission, to comply with the Secretary-General's policy of zero tolerance of sexual exploitation and abuse, and to deal with widespread allegations of sexual exploitation and abuse. It notes with approval that some missions are instituting such measures. Those found culpable must be punished by their respective managers or commanders.

17. In the light of the recommendations in the report of the Adviser to the Secretary-General, the Special Committee recommends that heads of mission seek authorization from the Secretary-General, where he or she deems the circumstances to so require, to institute stricter rules of conduct for civilian and military personnel with regard to the prevention of sexual exploitation and abuse.

18. The Special Committee recommends that, where feasible and appropriate, a force-level military police unit in a mission area should be from a troop-contributing country different from other military contingents in the same mission area. Where security and administrative support issues permit, force-level military police units should not be co-located with the military contingents they are to police.

F. Welfare and recreation

19. The Special Committee recognizes that peacekeeping operations are often situated in high-stress environments, where there is little opportunity for personnel to take recreational breaks, or to be in contact with family and friends. The Committee highlights the need for welfare and recreational services to be available to all categories of personnel in peacekeeping missions. The Committee further recognizes that, as noted in paragraphs 50 and 51 of the report of the adviser to the Secretary-General, welfare and recreation facilities have sometimes been inadequate.

20. The Special Committee recommends that the Secretary-General carry out a comprehensive review, including a cost-benefit analysis, of the welfare and recreation needs for all categories of peacekeeping personnel, to include, inter alia, a review of the rules on rest and recreation, including classification of duty stations as family or non-family for United Nations civilian staff; the need for welfare officers and stress counsellors, bearing in mind existing capabilities already deployed; development of minimum standards of welfare and recreation facilities for all categories of personnel; and a review of the effectiveness of the system of welfare payments; proposals should be made to the General Assembly during its sixtieth session.

21. The Special Committee recommends that the Department of Peacekeeping Operations take steps to improve living conditions and welfare and recreation facilities for all categories of personnel as soon as possible, including but not limited to recreational sites for rest and recuperation of contingent members, use of mission transportation assets to such sites, Internet facilities, and inter-contingent sporting facilities.

22. The Special Committee recognizes that troop-contributing countries have the primary responsibility to provide their contingent members with welfare and recreation facilities. The Committee notes that a welfare payment is currently made to troop-contributing countries. The Committee reaffirms that this money must continue to be used to provide welfare and recreation facilities in mission areas.

23. The Special Committee further recommends that the Department of Peacekeeping Operations discuss plans for provision of welfare and recreation facilities with troop-contributing countries during the predeployment assessment conducted by the Force Generation Service and that the provision of such facilities in missions be monitored by the Department of Peacekeeping Operations, using existing monitoring mechanisms, while troops are deployed.

G. Data management

24. The Special Committee recommends that the Secretary-General establish a data collection and management system at Headquarters and in the field to track allegations of sexual exploitation and abuse and responses of missions to those allegations, and that the database be a management tool that would also ensure that prior offenders are not rehired.

25. The Special Committee recommends that the database track non-specific allegations because they may be an indication of a problem that requires a managerial response.

H. Capacity to address misconduct

26. The Special Committee acknowledges the important role that dedicated Child Protection Advisers and Gender Advisers can and should play as part of their established duties in disclosing allegations of and preventing sexual exploitation and abuse in peacekeeping missions, and urges the Secretary-General to fully utilize this existing capacity where this is not being fully utilized at present.

27. The Special Committee notes that the Department of Peacekeeping Operations has established full-time personnel conduct officer positions in peacekeeping missions in Burundi, Côte d'Ivoire, the Democratic Republic of the Congo and Haiti, and encourages the continued development of this process with due attention to avoiding duplication of resources and functions. The Committee underlines that the establishment of such positions does not absolve mission managers and commanders of their responsibilities and their accountability with regard to misconduct.

28. The Special Committee recommends the strengthening of capacity at the Department of Peacekeeping Operations, with due attention to avoiding duplication of resources and functions, to address all cases of misconduct including sexual exploitation and abuse, to provide prompt advice to missions, to ensure the coherent application of United Nations procedures, and to provide guidance and advice for all categories of civilian and uniformed personnel.

29. The Special Committee expresses its deep concern regarding instances of intimidation of persons contributing to disclosing sexual exploitation and abuse, and calls for appropriate measures to protect such persons.

I. Investigations

30. The Special Committee recommends the establishment of a professional and independent investigative capacity, with the necessary expertise, within the administrative authority of the United Nations, bearing in mind General Assembly resolution 59/287, to investigate allegations of sexual exploitation and abuse and other allegations of misconduct of a similar grave nature where complex investigative techniques are needed.

31. The Special Committee recommends that, in implementing the foregoing proposal, full consideration be given to the recommendations contained in the report of the adviser to the Secretary-General.

J. Public information and communications

32. The Special Committee recommends that the Department of Peacekeeping Operations, in cooperation with the Department of Public Information, establish an effective outreach programme to explain the Organization's policy against sexual

exploitation and abuse and to establish effective mechanisms to enable individuals to make complaints in a confidential setting.

33. The Special Committee recommends that the Department of Peacekeeping Operations provide feedback in general terms to alleged victims on the outcome of their complaints and of the mission's investigation, giving due regard to the privacy laws of Member States about information being disclosed prior to adjudication of the victim's complaints.

K. Victim assistance

34. The Special Committee recommends that the Secretary-General provide to the Committee at its next session a comprehensive strategy for assistance to victims of sexual exploitation and abuse, including means for financial compensation.

35. The Special Committee recommends that until such a comprehensive strategy for assistance to victims of sexual exploitation and abuse has been implemented missions should provide emergency assistance to victims of sexual exploitation and abuse within current mission budgets.

L. Individual disciplinary, financial and criminal accountability

36. The Special Committee recommends amending the Staff Regulations and contracts with United Nations Volunteers, consultants and individual contractors to specifically provide that acts of sexual exploitation and abuse constitute serious misconduct.

37. The Special Committee notes that there are existing rules that require staff to honour court orders for family support.

38. The Special Committee recommends that the Secretary-General introduce expedited procedures, including suspension without pay in appropriate cases, to deal with cases of sexual exploitation and abuse.

M. Memorandum of understanding

39. The Special Committee notes that the report of the adviser to the Secretary-General included a number of recommendations on the content of the model memorandum of understanding between the United Nations and troop-contributing countries and individual memorandums of understanding based on the model.[2] However, the Committee was informed that the model memorandum of understanding was last reported to the General Assembly in 1997 (A/51/967 and Corr.1 and 2) and that it has never been adopted by the General Assembly as a basis for negotiation with individual troop-contributing countries. Accordingly, the Committee recommends that the Secretary-General prepare a draft model memorandum of understanding, taking into account the recommendations of the Special Committee in the present report, the recommendations of the adviser to the Secretary-General and General Assembly resolution 59/287, and submit a revised

[2] See A/59/710, recommendations in paragraphs 25, 33-34, 39, 61-62, 71 and 77-79.

draft model memorandum of understanding to the Special Committee for its consideration at the next session.

N. Group of legal experts

40. The Special Committee recommends that the Secretary-General appoint a group of legal experts to prepare and submit to the General Assembly at its sixtieth session for its consideration a comprehensive report:

(a) To provide advice on the best way to proceed so as to ensure that the original intent of the Charter of the United Nations can be achieved, namely that United Nations staff and experts on mission would never be effectively exempt from the consequences of criminal acts committed at their duty station, nor unjustly penalized, in accordance with due process;

(b) To provide advice on whether, and if so how, the standards in the Secretary-General's bulletin (ST/SGB/2003/13) could bind contingent members in the period prior to the conclusion of a memorandum of understanding or other agreement or other action by a troop-contributing country that incorporates those standards in a legally effective way under its national law;

(c) To study and propose ways of standardizing the norms of conduct applicable to all categories of peacekeeping personnel, paying particular attention to the issue of sexual exploitation and abuse.

O. Conclusions

41. The Special Committee requests the Secretary-General to provide a progress report on the implementation of the recommendations in the present report as part of his annual report to the Special Committee at its next regular session.

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